FILED

AUG 29 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Hansen Beverage Company,

Plaintiff

vs

Innovation Ventures, LLC dba Living Essentials,

Defendant

Case No. 08-cv-1166 IEG (POR)

PRO HAC VICE APPLICATION

Innovation Ventures, LLC
Party Represented

I, Thomas W. Cunningham (Applicant) hereby petition the above entitled court to permit me to appear and participate in this case and in support of petition state:

My firm name: Brooks Kushman P.C.
Street address: 1000 Town Center, 22nd Floor
City, State, ZIP: Southfield, MI 48075
Phone number: 248-358-4400

That on 2000 (Date) I was admitted to practice before Eastern District of Michigan (Name of Court) and am currently in good standing and eligible to practice in said court,

that I am not currently suspended or disbarred in any other court, and

that I ☐ have) ☒ have not) concurrently or within the year preceding this application made any pro hac vice application to this court.

(If previous application made, complete the following)

Title of case ______________________________

Case number ______________________ Date of application ______________________

Application ☐ granted ☐ denied

I declare under penalty of perjury that the foregoing is true and correct.

(Signature of Applicant)

DESIGNATION OF LOCAL COUNSEL

I hereby designate the below named as associate local counsel.

Nathan R. Hamler (Name)
858-314-1500 (Telephone)
Mintz Levin Cohn Ferris Glovsky and Popeo PC (Firm)
3580 Carmel Mountain Road, Ste 300, San Diego (Street) California (City) 92130 (Zip code)

Signature of Applicant

ORIGINAL

I hereby consent to the above designation.

Signature of Designee Attorney

The pro hac vice application is hereby approved for filing.

RECEIVED
AUG 2 8 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY TAC 154517 $180 DEPUTY

W. Samuel Hamrick, Jr.
Clerk of Court

By Deputy Clerk

L. Hammer

Received $180.00 for Court Library fee

____________________ Deputy Clerk

Pro Hac Vice (For this one particular occasion)

An attorney who is not a member of the California State Bar, but who is a member in good standing of, and eligible to proactive before, the bar of any United States Court or of the highest court of any State or of any Territory or Insular possession of the United States, who is of good moral character, and who has been retained to appear in this Court, be permitted to appear and participate in a particular case. An attorney is not eligible to practice pursuant to this paragraph in any one or more of the following apply to him/her: (1) he/she resides in California, (2) he/she is regularly employed in California, or (3) he/she is regularly engaged in business, professional, or other activities in California.

The pro hac vice application shall be presented to the Clerk and shall state under penalty of perjury (1) the attorney's residence and office address, (2) by what court he/she has been admitted to practice and the date of admission, (3) that he/she is in good standing and eligible to practice in said court, (4) the he/she is not currently suspended or disbarred in any other court, and (5) if he/she has concurrently or within the year preceding his/her current application made any pro hac vice application to this court, the title and the case number of each matter wherein he made application, the date of application , and whether or not his/her application was granted. He/She shall also designate in his application a member of the bar of this Court with whom the Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers shall be served. He/She shall file with such application the address, telephone number, and written consent of such designee.

Fee: $180.00, payable to Clerk, U.S. District Court

Application and fee should be mailed directly to:

W. Samuel Hamrick, Jr., Clerk
United States District Court
Southern District of California
880 Front Street Suite 4290
San Diego, California 92101-8900

CERTIFICATE OF SERVICE

I am employed in the County of San Diego, my business address is Mintz Levin Cohn Ferris Glovsky and Popeo PC, 3580 Carmel Mountain Road, Suite 300, San Diego, CA 92130. I am over the age of 18 and not a party to the foregoing action.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

On August 28, 2008, I caused a copy of the following document(s):

PRO HAC VICE APPLICATIONS OF THOMAS W. CUNNINGHAM, MARK CANTOR AND MARC LORELLI

to be served on the interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, and addressed as follows:

Norman L. Smith, Esq.
Edward J. McIntyre, Esq.
Alison L. Pivonka, Esq.
SOLOMON WARD SEIDENWURM & SMITH
401 B Street, Suite 1200
San Diego, CA 92101

Attorneys for Plaintiff
HANSEN BEVERAGE COMPANY

[XX] **MAIL:** Such correspondence was deposited, postage fully paid, with the U.S. Postal Service on the same day in the ordinary course of business.

I declare under penalty of perjury that the above is true and correct. Executed on August 28, 2008, at San Diego, California. I further declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made.

Kelly E. Jenckes